

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Criminal No. 08-211(RHK/JJK)

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
v.)	PRELIMINARY ORDER
)	OF FORFEITURE
JAMES GENE FURQUERON,)	
)	
Defendant.)	

Based on the United States' motion for a Preliminary Order of Forfeiture; on the Plea Agreement entered into between the United States and Defendant James Gene Furqueron; on the Court having found that the following firearms are subject to forfeiture pursuant to 18 U.S.C. § 924(d)(1), in conjunction with 28 U.S.C. § 2461(c):

- a. One Matsan, Diamond Special, 12 gauge pump action shotgun, serial number AACP050461;
- b. One Winchester, Model 94, .30-30 caliber rifle, serial number 3637940;
- c. One Gabilondo and Cia, .38 caliber revolver, serial number 531595;
- d. One Stevens, Model 820B, 12 gauge pump action shotgun, no serial number; and
- e. One Winchester, Model 94, .30-30 caliber rifle, serial number 2520804;

and on the Court's determination that, based on the Plea Agreement entered into by the defendant and based on all of the files and records of this proceeding, the government has

established the requisite nexus between the firearms and the offense to which the defendant has pled guilty,

IT IS HEREBY ORDERED that:

1. the foregoing firearms are forfeited to the United States pursuant to 18 U.S.C. § 924(d)(1), in conjunction with 28 U.S.C. § 2461(c);

2. the Attorney General or his authorized designee may seize the foregoing firearms and maintain custody and control of the firearms pending the entry of a Final Order of Forfeiture;

3. the United States shall, pursuant to 21 U.S.C. § 853(n)(1), as incorporated by 28 U.S.C. § 2461(c), publish and give notice of this Order and its intent to dispose of the foregoing property in such manner as the Attorney General may direct;

4. pursuant to Fed.R.Crim.P. 32.2(b)(3), this Preliminary Order of Forfeiture shall become final as to the defendant at the time of sentencing, and shall be made a part of the sentence and included in the judgment;

5. following the Court's disposition of all petitions filed pursuant to 21 U.S.C. § 853(n)(2) or, if no petitions are filed, following the expiration of the time period

specified within which to file such petitions, the United States shall have clear title to the foregoing property and may warrant good title to any subsequent purchaser or transferee; and

6. this Court shall retain jurisdiction to enforce this Order, and to amend it as necessary pursuant to Fed.R.Crim.P. 32.2(e).

Dated: 5/19/09

s/Richard H. Kyle
RICHARD H. KYLE, Judge
United States District Court